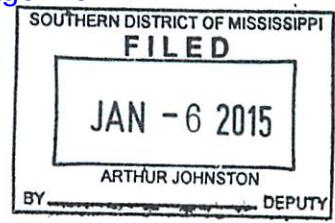


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



PERSEPHONE WASHINGTON

PLAINTIFF

VS.

CIVIL ACTION NO. 3:15cv12 CWR-LRA

HINDS COUNTY BOARD  
OF SUPERVISORS, and  
CARL FRELIX, DIRECTOR OF HINDS COUNTY  
PUBLIC WORKS, IN HIS OFFICIAL  
CAPACITY AND INDIVIDUALLY,  
AND JOHN DOES 1-20

DEFENDANTS

COMPLAINT

(JURY TRIAL REQUESTED)

COMES NOW the Plaintiff, Persephone Washington, by and through Counsel, and files this her Complaint against the Defendants, Hinds County Board of Supervisors, and Carl Frelix, Director of Hinds County Public Works, in his official capacity and individually, and John Does 1-20, and would show the following:

I. PARTIES

1. Plaintiff, Persephone Washington, is an adult resident citizen of Hinds County, Mississippi, residing at 2305 Willow Run Drive, Jackson, Mississippi 39212.

2. Defendant, Hinds County Board of Supervisors and possible other Hinds County servants, agents, employees, and others, may be served with Process of this Court at its place of business, at 316 S. President Street, Jackson, Mississippi. Process may be served on Board President Darrel McQuirter.

3. Defendant, Hinds County Public Works Director Carl Frelix, may be served with Process of this Court at his place of employment, at 900 E. Main Street, Raymond, Mississippi 39154.

4. The Hinds County Board of Supervisors is a governmental entity subject to suit pursuant to Section 11-47, and accordingly, service shall be had on the Chancery Clerk of Hinds County, Mississippi, whose address is 316 South President Street, Jackson, Mississippi 39201.

5. At all times relevant hereto, Defendant, Hinds County Board of Supervisors, was the employer of Plaintiff, Persephone Washington, with the authority to fix the terms, conditions, and procedures for its employees.

6. At all times relevant hereto, Defendant, Hinds County Board of Supervisors, was the employer of Defendant Hinds County Public Works Director Carl Frelix.

7. At all times relevant hereto, Defendant Hinds County Public Works Director Carl Frelix was the agent of Defendant, Hinds County Board of Supervisors.

8. The work site of the employer Defendant Hinds County Board of Supervisors at which Persephone Washington, was employed is Hinds County Public Works Department, at 900 East Main Street, Raymond, Mississippi 39154.

9. Defendant Hinds County Board of Supervisors is vicariously liable under the doctrine of respondent superior and the doctrine of ostensible agency for the actions, inactions, errors, omissions, negligence, intentional acts, and intentional acts of discrimination and harassment by the Defendant Public Works Director Carl Frelix, towards the Plaintiff.

10. Defendant Hinds County Board of Supervisors is liable for its retaliatory acts against Plaintiff stemming from her complaint(s) against Defendant Public Works Director Car Frelix.

## **II. JURISDICTION AND VENUE**

11. This action arises under Title VII of the Civil Rights Act of 1964, 28 U.S.C. § 1331, and, 1343(a)(3) and 42 U.S.C. § 1988.

12. Plaintiff Persephone Washington also invokes the Court's supplemental jurisdiction with respect to claims brought under the common law and statutes of the State of Mississippi.

13. The unlawful discriminatory practices of the Defendants alleged in this Complaint were and are being committed in Hinds County, Mississippi, which is located in the Southern District of Mississippi of the United States District Court. Venue lies in this Court pursuant to 28 U.S.C. § 1391, and, the venue provisions of Title VII.

### III. FACTS

14. Persephone Washington was an employee with the Hinds County Public Works Department at the time of the incidences leading to her claims.

15. At all times relevant hereto, Defendant, Carl Frelix, and other unknown Hinds County servants were agents, servants and employees of the Defendant Hinds County Public Works Department and the Hinds County Board of Supervisors.

16. Plaintiff Persephone Washington has served as an employee for the Hinds County Public Works Department, under the supervision of Defendant, Carl Frelix, and other preceding employees at the Hinds County Public Works Department located at 900 East Main Street, Raymond, Mississippi 39154.

17. Over the course of her employment, and on numerous occasions, Plaintiff Persephone Washington has been consistently harassed by Defendant Carl Frelix, and while being employed by the Hinds County Public Works Department.

18. Throughout the length of Ms. Washington's employment while working under Carl Frelix, Mr. Frelix has pursued Ms. Washington sexually in the workplace and at an out-of-office, work-related functions, despite her resistance.

19. He has made comments to her about sex, asked for sexual favors in exchange for money and/or gratuities, touched her inappropriately, made obscene gestures and punished her at work for not having sex with him.

20. The last occasion on which Plaintiff Persephone Washington was sexually harassed was in November of 2013.

21. The Hinds County Board of Supervisors has retaliated against Ms. Washington for her complaints about Mr. Frelix by disingenuously offering her a transfer to a position where she would be supervised by those that they know or should know would do the bidding of Carl Frelix.

**IV. FIRST CLAIM FOR RELIEF**

22. Plaintiff Persephone Washington incorporates and readopts Paragraphs one (1) through twenty-one (21) of this Complaint, inclusive, as if set forth verbatim herein.

23. The actions of the Defendants herein, as more fully described herein, constitute intentional discrimination against Plaintiff because of her sex with respect to the terms and conditions of her employment with Defendant Hinds County Board of Supervisors in violation of 42 U.S.C. § 2000 e.

24. Plaintiff Persephone Washington has complied with all necessary administrative prerequisites to the filing of this Complaint and suit.

25. As a result of the foregoing deprivations, Plaintiff Persephone Washington has suffered distress since being harassed and, has suffered other actual, compensatory, consequential, and incidental damages to be proven at trial.

**V. SECOND CLAIM FOR RELIEF**

26. Plaintiff Persephone Washington incorporates and re-adopts Paragraphs one (1) through twenty-five (25) of this Complaint, inclusive, as if set forth verbatim herein.

27. The outrageous conduct of the Defendants, as more fully described in the preceding paragraphs incorporated herein, was unnecessary for any lawful purpose connected with the Plaintiff Persephone Washington's employment by Defendants.

28. The Defendants herein acted with reckless, wanton, callous, intentional, and deliberate indifference to the consequences.

29. As a direct, natural, proximate, and foreseeable result of the Defendants' outrageous, wanton, callous, and intentional conduct, Plaintiff Persephone Washington has suffered severe emotional distress, entitling Plaintiff Persephone Washington to compensatory damages.

**VI. THIRD CLAIM FOR RELIEF**

30. Plaintiff incorporates and re-adopts Paragraphs one (1) through twenty-nine (29) of this Complaint, inclusive, as if set forth verbatim herein.

31. The actions of Defendant Carl Frelix, were taken and performed during the court of and within the scope of his employment as Plaintiff Persephone Washington's supervisor, and, therefore, Defendant, Hinds County Board of Supervisors, is liable for the said actions, errors, omissions, negligence and intentional conduct of Defendant Carl Frelix, under the doctrine of respondent superior, vicarious liability, and ostensible agency.

**VII. FOURTH CLAIM FOR RELIEF**

32. Plaintiff incorporates and re-adopts Paragraphs one (1) through thirty-one (31) of this Complaint, inclusive, as if set forth verbatim herein.

33. The retaliatory actions of Defendant Hinds County Board of Supervisors were reckless, willful, wanton, callous, intentional, and deliberate indifference to the consequences.

34. As a direct, natural, proximate, and foreseeable result of the Defendants' outrageous, wanton, callous, and intentional conduct, Plaintiff Persephone Washington has suffered severe emotional distress, entitling Plaintiff Persephone Washington to compensatory damages.

**PRAYER FOR RELIEF**

WHEREFORE, PREMISES CONSIDERED, Plaintiff Persephone Washington, respectfully prays that this court:

- a. Award Plaintiff, Persephone Washington, compensatory damages against Defendants, Hinds County Board of Supervisors, and Carl Frelix jointly and severally;
- b. Award Plaintiff, Persephone Washington, punitive damages against Defendants, Hinds County Board of Supervisors, and Carl Frelix, jointly and severally;
- c. Enjoin all the Defendants jointly and severally, from further engaging in wrongful acts, conduct, and omissions specified herein and enjoin all Defendants from otherwise discriminating and retaliating against Plaintiff, Persephone Washington, in the exercise of her rights under law;
- d. Award reasonable attorney's fees to Plaintiff, Persephone Washington, against Defendants, Hinds County Board of Supervisors, and Carl Frelix, jointly and severally; and,
- e. Grant such further and additional relief as may be just and proper.

RESPECTFULLY submitted this the 6<sup>th</sup> day of January, 2015.

Persephone Washington  
Plaintiff

BY:   
DALE DANKS, JR.  
One of Her Attorneys

SUBMITTED BY:

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